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November 28, 2005

The Honorable Kent A. Jordan U.S. District Court 844 North King Street, Room 4209 Lock Box 10 Wilmington, DE 19801

RE: Valerie Hue, Plaintiff v. NCO Financial Systems, Inc.

Case No.: 05-225 KAJ / Interim Status Report

Dear Judge Jordan:

Jeremy W. Homer, counsel for Plaintiff, pursuant to the Scheduling Order entered in this case on or about June 29, 2005, hereby files with the Court this joint letter which relates the progress of discovery. Counsel for Defendant, Elizabeth K. Fite, has authorized Mr. Homer to file this letter as a joint letter of the parties. The parties believe that the Status Conference scheduled with the Court on December 5, 2005, will be necessary.

On July 19, 2005, Plaintiff served Interrogatories and Requests for Production of Documents. On August 22, 2005, Defendant served responses. On August 24, 2005, Plaintiff's counsel sent Defendant's counsel a letter which sought amended responses. On September 8, 2005, Defendant's counsel sent Plaintiff's counsel a response. On September 26, 2005, Plaintiff's counsel sent a letter, consisting of nine pages, to Defendant's counsel which explained in detail the problems with Defendant's discovery responses. On October 14, 2005, Defendant served Supplemental Responses to the discovery requests. On November 10, 2005, Plaintiff's counsel filed a letter with the Court which explains the discovery dispute. On November 15, 2005, the Court held a teleconference with the parties' counsel regarding the discovery dispute and directed Defendant to supplement its discovery responses. To date, Plaintiff's counsel has not received the supplemental responses, but Defendant expects to have them in counsel's hands by Friday, December 2, 2005, so they can be reviewed prior to the December 5, teleconference.

The Honorable Kent A. Jordan Page 2

Plaintiff has requested Defendant to provide dates on which the depositions can be taken. Defendant's counsel has indicated that only two or three dates are available in December and only a few other dates in January, 2006, which predate the January 16, 2006 discovery cutoff date. Defendant's counsel has indicated that it believes an extension to the Scheduling Order is necessary. Plaintiff's counsel would like to take the depositions before January 16, 2006, if possible. Defendant seeks to take the deposition of the Plaintiff, which Plaintiff's counsel is willing to schedule as soon as he receives responsive answers to the written discovery.

NCO attempted to schedule the Plaintiff's deposition for August 24, 2005 by sending a Notice of Deposition of Valerie Hue. On August 15, 2005, Plaintiff's deposition was cancelled due to outstanding discovery issues. NCO attempted to re-schedule Ms. Hue's deposition for September 22, 2005 by sending an Amended Notice of Deposition of Valerie Hue. Again, the deposition was cancelled due to outstanding discovery issues.

Respectfully submitted,

JEREMY W. HOMER

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(Via First Class Mail and E-Mail) Elizabeth K. Fite, Esquire (Via First Class Mail and E-Mail) David Israel, Esquire

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

VALERIE HUE,)
Plaintiff,) Civil Action No. 05-225-KAJ
v. NCO FINANCIAL SYSTEMS, INC., a Delaware corporation, trading as NCO FINANCIAL COMMERCIAL SERVICES,))) CERTIFICATE OF MAILING)
Defendant.))

I hereby certify that on November <u>28</u>, 2005, I electronically filed the foregoing November 28, 2005 Interim Status Report to The Honorable Kent A. Jordan with the Clerk of Court using CM/ECF, which will send notification of such filing to the following:

Jennifer C. Jauffret, Esquire Alyssa M. Schwartz, Esquire Richard, Layton & Finger, P.A. One Rodney Square P.O. Box 551 Wilmington, DE 19899

I hereby certify that on the November <u>28</u>, 2005, I have served via e-mail and mailed by United States Postal Service, to the following participants:

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